

October 19, 2009



U.S. Department
of Transportation

East Building, PHH-30
1200 New Jersey Avenue S.E.
Washington, D.C. 20590

**Pipeline and Hazardous
Materials Safety Administration**

DOT-SP 14848

EXPIRATION DATE: June 30, 2011

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: Corning Incorporated
Corning, NY
2. PURPOSE AND LIMITATION:
 - a. This special permit authorizes the transportation in commerce of certain DOT specification cylinders as part of a Portable Emission Measurement System, that release a controlled amount of certain Division 2.1 and 2.2 materials without removing the cylinder from the vehicle on which it is transported. This special permit provides no relief from the Hazardous Materials Regulations (HMR) other than as specifically stated herein. The most recent revision supersedes all previous revisions.
 - b. The safety analyses performed in the development of this special permit only considered the hazards and risks associated with the transportation in commerce.
 - c. No party status will be granted to this special permit.
3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107 and 171-180.
4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR §172.301(c) in that the requirement to mark each package with the special permit number is waived; and § 177.834(h) in that controlled discharge of the material during transportation is authorized.
5. BASIS: This special permit is based on the application of Corning Incorporated dated April 1, 2009 and additional information dated June 15, and July 17, 2009 submitted in accordance with § 107.105 and the public proceeding thereon.

6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Hazardous Materials Description			
Proper Shipping Name	Hazard Class/ Division	Identification Number	Packing Group
Nitrogen, refrigerated liquid <i>cryogenic liquid</i>	2.2	UN1977	N/A
Compressed gas, flammable n.o.s.	2.1	UN1954	N/A

7. SAFETY CONTROL MEASURES:

a. PACKAGING - Packagings prescribed are DOT specification cylinders that are part of a Portable Emission Measurement System as described in the Corning Incorporated application for special permit on file with the Office of Hazardous Materials Special Permits and Approvals (OHMSPA). The Emission Measurement System includes a DOT Specification 4L cylinder as well as the entire system authorized under DOT-SP 13107 which utilizes two DOT Specification 3AL cylinders.

b. TESTING - Each DOT Specification 3AL cylinder must be requalified as specified in § 180.209. No requalification is required for DOT Specification 4L cylinders.

b. OPERATIONAL CONTROLS -

(1) The cylinders must be transported in a closed van type test trailer and must be secured during transportation to prevent shifting or movement.

(2) The flow of Division 2.1 and 2.2 hazardous materials is authorized during transportation. All hazardous materials must be consumed within the emission measuring equipment. The flow of hazardous material must automatically shut-off if the gas line is accidentally interrupted or leaks occur downstream of the regulator.

(3) Emergency response information provided with the shipment and available via an emergency response telephone number must indicate that the cylinders are

October 19, 2009

not fitted with pressure relief devices and provide appropriate guidance in case packagings are exposed to fire.

8. SPECIAL PROVISIONS:

a. A person who is not a holder of this special permit who receives a package covered by this special permit may reoffer it for transportation provided no modification or change is made to the package or its contents and it is reoffered for transportation in conformance with this special permit and the HMR.

b. A current copy of this special permit must be maintained at each facility where the package is offered or reoffered for transportation.

c. The requirement of § 172.301(c) to mark the outside of each special permit package with the special permit number is waived.

d. In addition to the terms and conditions specified in this special permit, Corning Incorporated must comply with all the terms and conditions of DOT-SP 13107.

9. MODES OF TRANSPORTATION AUTHORIZED: Motor Vehicle.

10. MODAL REQUIREMENTS: A current copy of this special permit must be carried aboard each motor vehicle used to transport packages covered by this special permit.

11. COMPLIANCE: Failure by a person to comply with any of the following may result in suspension or revocation of this special permit and penalties prescribed by the Federal hazardous materials transportation law, 49 U.S.C. 5101 et seq:

- o All terms and conditions prescribed in this special permit and the Hazardous Materials Regulations, 49 CFR Parts 171-180.
- o Persons operating under the terms of this special permit must comply with the security plan requirement in Subpart I of Part 172 of the HMR, when applicable.
- o Registration required by § 107.601 et seq., when applicable.

October 19, 2009


Each "Hazmat employee", as defined in § 171.8, who performs a function subject to this special permit must receive training on the requirements and conditions of this special permit in addition to the training required by §§ 172.700 through 172.704.

No person may use or apply this special permit, including display of its number, when this special permit has expired or is otherwise no longer in effect.

Under Title VII of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU)—"The Hazardous Materials Safety and Security Reauthorization Act of 2005" (Pub. L. 109-59), 119 Stat. 1144 (August 10, 2005), amended the Federal hazardous materials transportation law by changing the term "exemption" to "special permit" and authorizes a special permit to be granted up to two years for new special permits and up to four years for renewals.

12. REPORTING REQUIREMENTS: Shipments or operations conducted under this special permit are subject to the Hazardous Materials Incident Reporting requirements specified in 49 CFR §§ 171.15 - Immediate notice of certain hazardous materials incidents, and 171.16 - Detailed hazardous materials incident reports. In addition, the grantee(s) of this special permit must notify the Associate Administrator for Hazardous Materials Safety, in writing, of any incident involving a package, shipment or operation conducted under terms of this special permit.

Issued in Washington, D.C.:



Dr. Magdy El-Sibaie

Acting Associate Administrator for Hazardous Materials Safety

Address all inquiries to: Associate Administrator for Hazardous Materials Safety, Pipeline and Hazardous Material Safety Administration, U.S. Department of Transportation, East Building PHH-30, 1200 New Jersey Avenue, Southeast, Washington, D.C. 20590.

October 19, 2009

Copies of this special permit may be obtained by accessing the Hazardous Materials Safety Homepage at http://hazmat.dot.gov/sp_app/special_permits/spec_perm_index.htm. Photo reproductions and legible reductions of this special permit are permitted. Any alteration of this special permit is prohibited.

PO: CWFreeman